

BACHMAN & LaPOINTE, P.C.
 REGISTERED PATENT ATTORNEYS
 SPECIALIZING IN INTELLECTUAL PROPERTY

SUITE 1201
 900 CHAPEL STREET
 NEW HAVEN, CONNECTICUT 06510-2802

GREGORY P. LAPOINTE
 BARRY L. KELMACHTER (ALSO VA BAR)
 GEORGE A. COURY (ALSO NY BAR)
 WILLIAM B. SLATE (ALSO CA AND DC BARS)
 ROSS J. CHRISTIE (ALSO NY BAR)
 TIMOTHY J. LUBECKI (ONLY PA BAR)

RECEIVED
 CENTRAL FAX CENTER

AUG 28 2007

TELEPHONE (203) 777-6628
 FAX (203) 865-0297
 (203) 789-0582

TELECOPIER COVER LETTER

To: USPTO

From: William B. Slate *ASL*

FAX #: 571-273-8300

Date: August 28, 2007

Your Ref.: SN 10/734,696

Our Ref.: 085.10762-US (03-501)

Number of Pages including this sheet: 3

Confirmation Copy to Follow: Yes XX No

* Comments:

I hereby certify that this correspondence is being facsimile transmitted this 28th day of August, 2007 to the USPTO, at Fax No. 571-273-8300.

Antoinette Sullo
Antoinette Sullo

Please acknowledge receipt of this letter by email, telephone, telefax or telex and advise us if any pages are not readily legible or have not been received.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately and destroy this transmittal.

BACHMAN & LAPOINTE, P.C.
 TELEPHONE: (203) 777-6628
 TELEFAX : (203) 865-0297

AUG 28 2007 PTOL-413A (07-07)
Approved for use through 09/30/2007. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/734,696
Examiner: John C. HongFirst Named Applicant: Robert L. Memmen
Art Unit: 3726 Status of Application: Pending (Final Rejection)

Tentative Participants:

(1) Examiner John C. Hong (2) Attorney William B. Slate

(3) (4)

Proposed Date of Interview: 08/29/2007

Proposed Time: 3:00 (AM/PM)

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video ConferenceExhibit To Be Shown or Demonstrated: [] YES NO

If yes, provide brief description:

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	various	Haas et al.	[]	[]	[]
(2) Rej.	various	Haas et al./Neal et al.	[]	[]	[]
(3)			[]	[]	[]
(4)			[]	[]	[]

[] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

SEE ATTACHED

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

William B. Slate/Attorney for Applicant

Examiner/SPE Signature

Typed/Printed Name of Applicant or Representative

37,238

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/734696

Attachment to PTOL-413A

The Advisory Action first errs in its characterization of claim 1. Claim 1 identifies a part which has lost first material "from a metallic substrate..." Hass et al. identifies applying a coating to a substrate 320. The Advisory Action asserts "Hass et al. al. [sic] may teach [a] metallic coating, but metallic [sic] coating [is] also a metallic substrate." As best can be understood, this vitiates the term substrate.

Claim 1 identifies modulating. Various dependent claims identify more detailed aspects of the modulation. The prior Office action had cited a passage of Hass et al. which identified "a periodically alternating voltage..." The Advisory Action makes two errors. First it repeats the misreading of "alternating" as "altering". Second, it then bootstraps this into modulating. The reference to periodically alternating voltage does not imply modulation, generally, and the particular modulation of dependent claims.

Finally, Applicants' prior arguments have never been addressed due to the inconsistency between the Response to Arguments section of the May 30, 2007 Office Action (which indicated that Applicants' arguments were moot in view of new ground(s)) and the Claim Rejections sections (which merely repeated the prior rejections). The result is that Applicants' arguments have not been addressed and Applicants have not been informed of the new ground(s) (if any).